

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 TERRANCE DAVIS,

4 Plaintiff,

5 v.

6 TASHEENA COOKE, et al.,

7 Defendants.

Case No.: 3:24-cv-00240-ART-CLB

8
9 ORDER

10 On June 11, 2024, pro se plaintiff Terrance Davis, an inmate in the custody of the
11 Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF
12 No. 1-1). Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an
13 application to proceed *in forma pauperis*. (See ECF No. 1). Plaintiff did file a financial
14 certificate and a copy of his prison trust fund account statement for the previous six-month
15 period, but he did not submit the three-page application. (See ECF No. 1-2).

16 I. DISCUSSION

17 The United States District Court for the District of Nevada must collect filing fees
18 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee
19 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55
20 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the
21 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev.
22 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
23 must submit **all three** of the following documents to the Court: (1) a completed
24 **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the
25 Court's approved form, that is properly signed by the inmate twice on page 3; (2) a
26 completed **Financial Certificate**, which is page 4 of the Court's approved form, that is
27 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
28 **inmate's prison or jail trust fund account statement for the previous six-month
period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*

1 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
2 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 **II. CONCLUSION**

4 It is therefore ordered that Plaintiff has **until August 12, 2024**, to either pay the full
5 \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all
6 three required documents: (1) a completed application with the inmate's two signatures
7 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
8 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
9 previous six-month period.

10 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
11 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
12 to refile the case with the Court, under a new case number, when Plaintiff can file a
13 complete application to proceed *in forma pauperis* or pay the required filing fee.

14 The Clerk of the Court is directed to send Plaintiff the approved form application to
15 proceed *in forma pauperis* for an inmate and instructions for the same and retain the
16 complaint (ECF No. 1) but not file it at this time.

17 DATED: June 13, 2024.

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21 UNITED STATES MAGISTRATE JUDGE
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